

Application No. 10/654,419
Amdt date 07/15/2007
Reply to Office action of 04/16/2007

Amendments to the Drawings:

Figure 3 has been amended to include the reference numerals 21, 22, 23, and 24. Each of these reference numerals is described in the specification for example in pages 9 and 10.

Figure 4 has been amended to include the reference numerals 41, 42, 43, 44, and 45. Each of these reference numerals is described in the specification for example on page 11.

Figure 5 has been amended to include the reference numerals 51, 52, 53, 54, 55, 57, 58, 59, and 60. Each of these reference numerals is described in the specification for example in pages 14 and 15.

Figure 6 has been amended to include the reference numerals 16, 20, 30, 32, and 34. Additionally, numeral 10 has been amended to now refer to the whole box that contains elements 12, 14, and 16. Each of these reference numerals is described in the specification for example in pages 15 and 16.

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REMARKS/ARGUMENTS

In the Office action mailed April 16, 2007, Claims 1, 13, 21, 29 and 30 were objected to and also rejected under 35 U.S.C. Section 112, second paragraph. Claims 1, 13, 21, 29, and 30 were indicated as allowable if rewritten to overcome the 35 U.S.C. Section 112, second paragraph rejection. Claims 2-12, 14-20, and 22-28 were objected to as depending on a rejected base claim, but were otherwise allowable.

Claims 1, 13, 21, 29, and 30 are amended. Claims 31-49 have been added and are also believed to be patentable.

Claims 31-49 find support, for example, in the originally filed claims and in the specification at pages 7 to 17.

The Office action objected to claims 1, 13, 21, 29 and 30 because of informalities: in claim 1, the words, "combinable" and "if available" on respectively lines 3 and 6, do not positively recite. In response, applicant has amended claims 1, 13, 21, 29 and 30 with the words "combined" and "available," thereby positively reciting the claim.

The Office action objected to the narrative form in claim 1 lines 9-10. In response, applicant has stricken lines 9-10 from claim 1.

The Office action objected to the phrase "in respect of" on line 20 of claim 1. In response, applicant has replaced the term "in respect of" with "with respect to."

In claim 13, the Office action objected to the word "capable" on line 4, "combinable" on line 6, "if available" on line 9, and "allocable" on line 9 because they do not recite positively. In response, the applicant replaced the term "capable of carrying" on line 4 with "may carry." The applicant replaced the term "the FCHs are combinable" on line 6 with "fundamental channels (FCHs) are combined." The applicant amended the phrase "any channel, if available" on line 9

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with “any available channel.” The applicant replaced the term “allocable” on line 9 with “allocated.”

The Office action objected to the narrative form in claim 13 lines 12-13. In response, applicant has stricken lines 12-13 from claim 13.

In claim 13 the Office action objected to the phrase “on one or of more of said priority factors,” on lines 18-19. In response the applicant has replaced the phrase “on one or of more of said priority factors” with “on said one or more priority factors.”

In claim 21, the Office action objected to the words “capable,” “if available,” and “allocable” because they do not recite positively. In response, the applicant replaced the phrase “capable of carrying” with “may carry.” The applicant amended the phrase “any channel, if available” with “any available channel.” The applicant amended the phrase “being periodically allocable” with “is periodically allocated.”

In claim 29, the Office action objected to the words “combinable”, “capable”, and “if available” because they do not recite positively. In response, the applicant replaced the term “the FCHs are combinable” with “fundamental channels (FCHs) are combined.” The applicant replaced the term “capable of carrying” with “may carry.” The applicant amended the phrase “any channel, if available” with “any available channel.”

In claim 29, the Office action objected to the narrative form in lines 9-10. In response the applicant has stricken lines 9-10 from claim 29.

In claim 30, the Office action objected to the words, “combinable”, “capable” and “if available” because they do not recite positively. In response, the applicant replaced the term “the FCHs are combinable” with “fundamental channels (FCHs) are combined.” The applicant replaced the term “capable of carrying” with “may carry.” The applicant amended the phrase “any channel, if available” with “any available channel.”

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In claim 30, the Office action objected to the narrative form in lines 9-10. In response the applicant has stricken lines 9-10 from claim 30.

The Office action rejected claim 1 citing insufficient antecedent basis for “the FCH,” in line 3 of claim 1. In response the applicant has amended “the FCH” with “fundamental transmission channels (FCHs).”

The Office action rejected claims 1, 13, 21, 29 and 30 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response the applicant, has reformatted these claims to better point out and distinctly claim the subject matter which applicant regards as the invention.

The Office action rejected claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office action states that the claim is vague and indefinite since it is not clear whether what is claimed is a method/process or a system. In response, the applicant has reformatted this claim to better point out and distinctly claim the subject matter which applicant regards as the invention. In particular, it is noted that claim 1 specifies “In a data transmission system ... a method for periodically allocating channels to subscriber units, comprising ...”

Allowance of the Application is earnestly requested.

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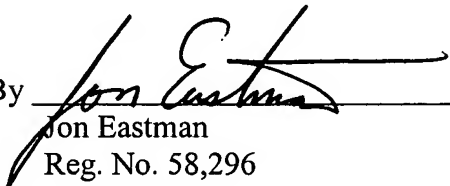
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The Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 50-4270. Please show our docket number with any Deposit Account transaction.

Respectfully submitted,

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By 
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